

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.11178 of 2017**

Arising Out of PS.Case No. -193 Year- 2016 Thana -KHAIRA District- JAMUI

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1. Darogi Yadav, son of Late Jehel Yadav, resident of Village-Tetariyatand, P.S.- Khaira, District- Jamui.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Kartik Kumar Sinha

For the Opposite Party/s : Mr. Smt. Sharda Kumari

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**

**ORAL ORDER**

2      10-03-2017      Heard both sides.

The petitioner seeks bail in Khaira P.S. Case No. 193/2016, registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code. Later on Section 302 was added.

The informant named the petitioner along with other accused persons and alleged that when son and nephew of the informant were playing on *Darwaja*, Upendra Yadav assaulted them. The informant, his brother and other family members went to enquire, but the accused persons assaulted Mahesh Yadav, brother of the informant. When the informant and his family members went to save, the petitioner is alleged to have ordered to kill the informant. On such, other accused persons assaulted the



informant and other family members of the informant.

Learned counsel for the petitioner submits that there is no allegation of assault against the petitioner. The petitioner arrived at the place of occurrence after assault to Mahesh Yadav, who later on died. The petitioner is in jail since 28.10.2016.

Learned Additional P.P. did not dispute the fact.

Considering the facts aforesaid and the fact that the petitioner is order giver and there is no allegation of assault against him, the petitioner has remained in jail for more than four months, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Khaira P.S. Case No. 193/2016.

**(Prabhat Kumar Jha, J.)**

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